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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,318	11/26/2003	Huw Edward Oliver	B-5271 621386-3	1447

7590 05/15/2007
HEWLETT-PACKARD COMPANY
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EXAMINER

VU, THANH T

ART UNIT	PAPER NUMBER
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2174

MAIL DATE	DELIVERY MODE
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05/15/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/724,318	OLIVER, HUW EDWARD
	Examiner Thanh T. Vu	Art Unit 2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 26 November 2003.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-45 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-45 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>04/26/2003; 11/06/2003</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

Claim 37 is objected to because of the following informalities: the claim contains an extra period (.) at the end of the claim. Appropriate correction is required.

Claim 45 is objected to because of the following informalities: "the a message generation component" is grammatically incorrect. Appropriate correction is required.

Claim 39 is objected to because of the following informalities: the claim appears to be an incomplete sentence. Appropriate correction is required.

Claim 40 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. The claim appears to remove the storage medium from the claim and now claiming a web server instead.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 recites the limitation "the computing entity". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 25-31 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Computer programs claimed as computer listing per se, i.e. the descriptions or expressions of the programs are not physical "things." They are neither computer components nor statutory processes, as they are not "acts" being performed. Such claimed computer program product does not define any structural and functional interrelationships between the computer program and other claimed elements of a computer which permit the computer program's functionality to be realized. In contrast, a claimed computer-readable medium encoded with a computer program is a computer element which defines structural and functional interrelationship between the computer program and the rest of the computer which permit the computer program's functionality to be realized, and is thus statutory. See Lowry, 32 F.3d at 1583-84, 32 USPQ2d at 1035.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-45 are rejected under 35 U.S.C. 102(e) as being anticipated by Rao (Pub. No. US 2002/0087526).

Per claim 1, Rao teaches a method of obtaining user feedback relating to items displayable on a device, the method comprising:

displaying on the device (*fig 4 is displayed on client computer; [0034]*):

a view of a said displayable item (fig. 4; [0034]; *a view of web page 52*),

a first activatable transport-control element with associated first semantic information ([0047]; i.e. “backward” button with associated rating box; [0035] shows search result links (*elements 56-64 of fig. 4*) with associated rating fields), and

a second activatable transport-control element with associated second semantic information that is different from said first semantic information ([0047], i.e. “forward” button with associated rating box. “Forward” text has different semantic information from “backward” button text; [0035] shows search result link (*elements 56-64 of fig. 4*) with associated rating fields. In addition, each link description has a different semantic information from other link description); and

responding to activation of a said transport-control element both by moving the displayed item view within or between displayable items (figs. 4; [0037] and [0047]; *a user can move between web pages using “backward” and “forward” button*) and by storing or outputting data indicative of the semantic information associated with the activated element ([0047]; [0073]; *outputting of a rating box and storing of rating information*), the item-view move that is effected as a result of activation of a said transport-control element being the same whichever of said elements is activated ([0047], *the examiner considers “the item-view move that is effected as a*

result of activation of a said transport-control element being the same whichever of said elements is activated” to be in moving between web pages using “forward” or “backward” button, the rating box is outputted in both cases).

Per claim 2, Rao teaches a method according to claim 1, wherein said displayable items are web pages, the computing entity running a web browser for viewing the web pages (fig. 4; [0033], and [0034]; *a web browser (user interface) is used to display web pages*).

Per claim 3, Rao teaches a method according to claim 2, wherein the transport-control elements are displayed as part of the web browser interface, independently of a currently-displayed web page (fig. 4; [0034]; [0047]; *“forward”, “backward” and elements 56-62 are displayed as part of the web browser interface (the user interface for viewing webpage), which is separate from the displayed web page 52*).

Per claim 4, Rao teaches a method according to claim 3, wherein the semantic information is provided from externally of the device (fig 4; [0034]; [0028]; [0037]; [0047]; *the semantic information of search result links (56-62) are provide to the user from the internet. In addition, it is noted that “forward” and “backward” button are part of web browser software, which is provided to the client machine from an external source (i.e. software installation)*).

Per claim 5, Rao teaches a method according to claim 2, wherein the transport-control elements are displayed as part of a currently displayed web page (fig. 4; [0034] and [0047]; *search result links (56-62), “backward” and “forward” buttons are part of currently display page 52*).

Per claim 6, Rao teaches a method according to claim 1, wherein said semantic information comprises text data (fig. 4; [0034], [0047]; [0073]; *search result links (56-62)*)

includes a short title and description summary of each web page; “backward” and “forward” with associated rating box comprises text data).

Per claim 7, Rao teaches a method according to claim 1, wherein said semantic information comprises a graphics information (fig. 4; [0035]; *rating field (64-72); “backward” and “forward” button are shown with icon symbols “<” and “>”).*

Per claim , Rao teaches a method according to claim 1, wherein said data comprises a first message type that is output every time said first transport-control element is activated, and a second message type that is output every time said second transport-control element is activated ([0047]; *the “forward” and “backward” button, each displays a different message type such as displaying different web pages i.e. “backward” or “forward” page.)*

Per claim 9, Rao teaches a method according to claim 1, wherein: said first semantic information comprises information describing a positive aspect and said second semantic information comprises information describing a negative aspect (fig. 4; [0035]; [0073]; *rating fields with low 64 and high 72).*

Per claim 10, Rao teaches a method according to claim 9, further comprising displaying a third transport control element with associated third semantic information describing a neutral aspect (fig. 4; [0034] [0073]), *the examiner considers one of the search result links (56-62) to be a third transport control element with associated third semantic information describing a neutral aspect (i.e. rating field 68; or a rating scale of 5 out of 10).*

Per claim 11, Rao teaches method of obtaining feedback data from a plurality of users of one or more on line services, said method comprising (fig. 1; clients 23 and 29; servers 24, 26, and 28):

displaying a set of transport-control elements for transporting between display views comprising said online service ([0047]; *i.e. "backward" and forward button allows user transport between web pages*) and

for each said transport-control element, presenting an associated information describing a type of experience which said user has encountered ([0047]; *"backward" and forward button with associated rating box allows user to enter rating (feedback) of a particular web page*).

Per claim 12, Rao teaches a method according to claim 1, wherein a pair of said transport-control elements (fig. 4; [0034]; *i.e. pair of search result links 56 and 58*) for effecting a transition between first and second page displays in a same direction (fig. 4; [0037]; *selecting link 56 or link 58 results in transition between current display page (52) to a next page (Schnauzers or Labrador page)*). *The examiner considers such transition is in the same direction namely "transition to a new page"*), are each provided with a corresponding respective said associated information said first and second said associated information having a different semantic from each other ([0035] *shows search result link (elements 56-64 of fig. 4) with associated rating fields*. *In addition, each link description has different semantic information from other link description.*)

Claim 13 is rejected under the same rationale as claim 1, Rao further teaches a display and a display control arrangement (fig. 1; [0027]; [0034]; *user interface of fig. 4 is displayed on a client computer display*).

Claims 14-22 are rejected under the same rationale as claims 2-10 respectively.

Per claim 23, Rao teaches a device according to claim 13, wherein said information describing a user's experience is selected from the set: information determining whether a user

found/did not find what-they wanted ([0038] and [0039]; *rating information determining whether a user found/did not find what they wanted*); information describing whether a user had a good/bad experience, information describing whether a user had a satisfactory/unsatisfactory experience ([0035]; [0073]; *rating fields describing whether the user had low or high rating*.)

Per claim 24, Rao teaches a device according to claim 14, wherein the control arrangement is arranged to send said data to an address associated with a website that provided the currently displayed page ([0079]; *real-time feedback data is provided to a web host*).

Claims 25-31 are rejected under the same rationale as claims 1-10 respectively.

Per claim 32, Rao teaches a web page stored on a storage medium, the web page comprising:

page content data (fig. 4; [0034]; *web page 52*),

a first activatable transport-control element with associated first semantic information ([0047]; *i.e. “backward” button with associated rating box; [0035] shows search result links (elements 56-64 of fig. 4) with associated rating fields*),

a second activatable transport-control element with associated second semantic information that is different from said first semantic information, the transport-control elements and their associated semantic information being intended for display by a browser along with said page content data ([0047], *i.e. “forward” button with associated rating box. “Forward” text has different semantic information from “backward” button text; [0035] shows search result link (elements 56-64 of fig. 4) with associated rating fields. In addition, each link description has a different semantic information from other link description*); and

control script code for causing a browser, when displaying the web page, to respond to activation of a said transport-control element both by moving the displayed page view within or between web pages (figs. 4; [0037] and [0047]; *a user can move between web pages using “backward” and “forward” button. It is noted that each button or link has code or script code in order for the user to activate the function provided by the button or link*) and by storing or outputting data indicative of the semantic information associated with the activated element ([0047]; [0073]; *outputting of a rating box and storing of rating information*), the page-view move that is effected as a result of activation of a said transport-control element being the same whichever of said elements is activated ([0047], *the examiner considers “the item-view move that is effected as a result of activation of a said transport-control element being the same whichever of said elements is activated” to be in moving between web pages using “forward” or “backward” button, the rating box is outputted in both cases*).

Claims 33-37 are rejected under the same rationale as claims 6-10 respectively.

Per claim 38, Rao teaches a web page according to claim 32, wherein said page is divided into at least a first frame containing said transport-control elements with their associated information (fig. 4; [0035] [0047]; *i.e. first frame: a frame that contains control buttons, or a frame that contains the search result links 56-64*, and a second frame containing said content data (fig. 4; content frame 52).

Per claim 39, Rao teaches a web page according to claim 32, when stored on a web server ([0028] *shows pages are stored in databases*).

Per claim 40, Rao teaches a web server including processing means arranged to generate a web page according to claim 32 ([0027] *shows server that provides web pages to client computer*).

Per claim 41, Rao teaches a service provider computer entity adapted for providing an online accessible service, said computer entity comprising:

a web server application capable of serving website pages to a plurality of user browsers; and (fig. 1; [0017]; *web server 24 or 26 severing web pages to plurality of client 23 and 29*) a message generation component for causing the passing to a said browser requesting a website page, information items to be associated with respective ones of a plurality of transport-control elements of the browser (fig. 4; [0046], [0047]; “backward” and “forward” button with *associated rating information*), respective ones of said information items describing a positive aspect and a negative aspect of an experience of the website page served by said computer entity (fig. 4; [0035], [0073]; *LO or HI rating of fig. 4*).

Per claim 42, Rao teaches a computer entity according to claim 41, wherein said information comprises a text description of a positive information type and a text description of a negative information type (fig. 4; [0035], [0073]; *LO or HI rating of fig. 4*).

Per claim 43, Rao teaches a computer entity according to claim 41, wherein said information comprises a graphical representation of a positive type and a graphical representation of a negative type (figs. 4; [0035] *show rating range from low 64 to high 72*).

Per claim 44, Rao teaches a computer entity according to claim 41, wherein said information comprises information selected from the set: information constructed for eliciting an

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objective response, information constructed for eliciting a subjective response (fig. 4; [0035], and [0073] shows *rating fields and provide opinions of sites*).

Per claim 45, Rao teaches a computer entity according to claim 41, wherein said web server application is arranged to provide the information generated by the a message generation component to the requesting browser in association with the requested web page (fig. 1; [0033], and [0034] shows *displaying web pages based on user request*.)

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Brock (U.S. Pat. No. 7,181,696) discloses system and method for performing market research studies on online content.

Hillis et al. (Pub. No. US 2005/0086188) disclose a knowledge web system.

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh T. Vu whose telephone number is (571) 272-4073. The examiner can normally be reached on Mon-Thur and every other Fri 7:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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AU 2174, TC 2100